

#5A
10-15-02
H. J. R.**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Daniels

Examiner: Boyer D. Ashley

Serial Number: 09/782,353

Group Art Unit: 3724

Filed: 02/12/01

For: CUTTER

Assistant Commissioner for Patents
Washington, D.C. 20231**PRELIMINARY AMENDMENT AND RESPONSE TO OFFICE ACTION**

The Applicant's undersigned attorney thanks the Examiner for a kind and thorough of the Application. In the Office Action mailed 9/11/02, the Examiner has indicated that an election/restriction is required. The Applicant hereby elects Group I as described in the Office Action and asserts that claims 1 - 8 and new claims 12 - 15 read upon elected Group I.

IN THE CLAIMSPlease cancel claims 9 - 11 and add new claims 12 - ¹⁵16.**Claim 12 (new)**

An assembly for cutting a metal stud having a rectangular shape, said apparatus comprising:

a metal stud reception portion having a certain shape which is similar to said metal stud, effective to receive and support said metal stud;

a support member having a first relatively projecting portion and a second relatively thick portion, wherein said metal stud reception portion is mounted upon said second portion;

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GROUP 3700

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To: Examiner Boyer Ashley	From: Steve Clemmons
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